

# **Libby Community Advisory Group**

## **Meeting Summary**

### **April 5, 2001**

#### **Introductions**

Gerald Mueller and Libby Community Advisory Group (CAG) members present introduced themselves. A list of the members in attendance is attached below as Appendix 1.

#### **Agenda**

Mr. Mueller reviewed an agenda for this meeting including the following topics:

- Agency Reports
  - EPA
  - ATSDR
  - Lincoln County
  - St. John's Hospital
- Action Subcommittee Report
- TOSC Letter of Intent
- Public Comment

#### **EPA Report**

Chris Weis, EPA Science Coordinator, stated that Paul Peronard is in Denver working on items related to the W.R. Grace bankruptcy petition. Mr. Weis reported on behalf of EPA on the following topics:

##### EPA Inspector General's Report

The Inspector General's report on the history of EPA's activities in Libby has been released, and copies will soon be available from the Information Center. Responses to the Inspector General's report be sent directly to the Inspector General Nikki Tinsley at Environmental Protection Agency Office of Inspector General, 1200 Pennsylvania Avenue, N.W. (2441), Washington, D.C. 20460, or can be left at the Information Center for forwarding to that office.

*CAG Member Question - Can we get someone from the Inspector General's team to come to the next CAG meeting to discuss the report?*

Answer - The CAG should write to the Inspector General and ask.

***CAG Action - The CAG unanimously directed its facilitator, Gerald Mueller, to write to the Inspector General and make this request.***

*Audience Member Question - How will the W.R. Grace bankruptcy effect EPA activities in Libby?*

Answer - I am not sure. Our lead attorney is working hard on bankruptcy issues. No interference is expected with work already started or planned for this year. The bankruptcy may mean a larger role for EPA, as it may take on work that would have been done by W.R. Grace either voluntarily or under order.

##### Phase 2 of the Residential Sampling

Several volunteers in a variety of homes are wearing small pumps to sample air as they go about their normal activities in their homes for a three day period. Some Libby residents will

voluntarily relocate to a hotel while an EPA team wearing protective clothing and respirators samples the air while conducting aggressive cleaning activities, including tearing out carpets. EPA personnel wearing protective gear will also go into attics and sample air while simulating repair of electrical wiring, installation of ceiling fan, and other activities likely to disturb vermiculite attic insulation. Libby citizens have been invited to observe the sampling activities.

### School Tracks

Sampling at the high school, middle school, and elementary school tracks is underway. The contaminated materials are buried beneath the track surface. Significant exposure to asbestos is not occurring today, so children are not at risk using the tracks now. The initial sampling was conducted under snowy and wet conditions. We intend to come back and do more detailed sampling after the conditions dry.

*CAG Member Question - What is the toxicity of the materials used on the tracks before they were paved?*

Answer - The material we have found buried under the high school track was raw ore likely to contain high concentrations of asbestos.

*CAG Member Question - How many years was this material on the track surface before it was paved?*

Answer - The track was paved in 1988 or 1989. We will find out how long the tracks were used with ore material as the surface before they were paved.

*Audience Member Question - Is it okay to use the tracks for meets today?*

Answer - Yes.

*Audience Member Question - Will EPA provide the school district a letter to this effect?*

Answer - Yes.

*CAG Member Question - Was the football field inside the high school track sampled?*

Answer - Yes. No contamination was found to the depth that we sampled. We intend to do more sampling when conditions dry.

*Audience Member Question - Has EPA sampled at St. John's School?*

Answer - Not yet, but we will.

*Audience Member Question - Were the ball fields near the screening and export plant sites sampled?*

Answer - Yes. W.R. Grace removed contamination under EPA order.

### Summer Activities

This summer, EPA will move 60,000 cubic yards of contaminated material from the screening plant site over Rainy Creek Road to the mine for disposal. Several actions will be taken to protect air quality during this activity. Trucks hauling the material will be decontaminated. About one-quarter to one-half mile of Rainy Creek Road will be paved to prevent dust due to the truck traffic. Vermiculite will be removed from the Road before it is paved. EPA has had discussions with Plum Creek and the power company about their use of the Road. Plans are not

yet finalized for the remainder of Rainy Creek Road.

*Audience Member Question - How has Rainy Creek Road been sampled?*

Answer - A cross section of the road has been sampled every 1,000 feet. The samples were positive for asbestos. Today, a back hoe dug down to native rock, a depth of about eight inches to one foot.

*Audience Member Question - Was the Road sampled in this manner all the way to the mine?*

Answer - Characterization of the road is just beginning. We suspect that construction of the road was similar all the way to the mine. We are aware of three other roads that lead to the mine that will also be sampled.

*Audience Member Question - Is EPA aware of the 1992 environmental assessment (EA) addressing Rainy Creek Road? The Road will need twenty-four hour per day, seven days per week dust abatement even if it is paved.*

Answer - We have a copy of the EA at the Information Center. We will talk with Paul Peronard about your concerns about the need for continuous dust abatement.

*Audience Member Question - Does EPA have plans for cleaning up the Burlington Northern (BN) loading facility across the river from the screening plant as well as the flyway adjacent to the loading facility?*

Answer - EPA is in discussions with the health and safety officers of BN regarding cleanup of its properties and possible disturbance to rail traffic.

*Audience Member Question - What is the status of last year's residential testing?*

Answer - Everyone participating in the residential air sampling during February to April 2000 should have their results back by now. Results have not been released for soil and insulation testing because the standard laboratory tests proved to be inadequate. Labs were not reporting detection when electron microscopy was seeing asbestos fibers. Work is underway on a new analytical method that will be applied to the soil and insulation samples. The new methodology should be approved by the end of this year.

#### Oakland Health Effects Conference

At the last meeting, six people indicated an interest in attending the conference in Oakland on May 24 - 25. EPA will fund four people to attend. St. John's Hospital agreed to fund two of the six, Dr. Brad Black, and Pat Cohen.

***CAG Action - The CAG agreed that EPA should fund Ron Anderson, Carol Spas, Leroy Thom, and Clinton Maynard to attend the Oakland conference on behalf of the CAG.***

### **ATSDR Report**

Dan Strausbaugh, Montana Representative of ATSDR, announced that in response to CAG and community requests, Dr. Falk made the decision last week to offer additional medical testing to people who were eligible for but did not participate in the initial round of testing. This second round is scheduled to begin this August. The testing will follow the same protocol and use the same telephone number to make appointments as in the initial round. Anyone who lived, worked, or played in Libby for six consecutive months prior to December 1990 will be eligible. Mr. Strausbaugh passed out a press release that was embargoed until today, so news of this

decision will be reported tomorrow, after the CAG and community was informed. Montana's Governor and the Montana Congressional delegation have also been informed of this decision.

*Audience Member Question - A railroad crew that cleaned up a spill was heavily exposed, but did not live in Libby for six consecutive months. Can they be screened?*

Answer - ATSDR is aware that BN is concerned about worker exposures.

*Audience Member Question - What about testing for people who worked on building the bridge after 1990 and people who have moved away?*

Answer - ATSDR intends to apply the same eligibility criteria as in the first round of testing.

We don't have the funds to bring people to Libby for testing. We are aware, however, that the CAG has requested that notice of the testing be provided nationwide.

*CAG Member Question - This summer, a number of people will be coming to high school reunions that probably should be tested. One of these reunions involves the largest class ever. Why wait until August to begin the second round of testing?*

Answer - During May and June, ATSDR will conduct a study to determine the usefulness of x-rays traditionally used by clinicians to detect evidence of asbestosis. The CAG requested this study. Because of resource constraints by the contractor and the hospital, the second round of testing will begin after this study is completed.

*CAG Member Question - Couldn't ATSDR find additional funding for additional contractors so that the second round need not wait until August?*

Answer - We are trying to protect the quality of the screening, and therefore intend to use the same contractors.

*CAG Member Comment - First, I applaud ATSDR's positive response to the CAG's request for another round of medical testing. Do you have to use the same contractor? Couldn't you just apply the same performance standards and use another contractor so we don't have to wait until August?*

Response - Using another contractor would require a selection process that might end up delaying the testing beyond August.

*CAG Member Comment - We should use the same process and contractors to ensure the credibility of the results. We know people will attack them.*

Response - Credibility is a real consideration. That is why we had the same people read the roughly 15,000 x-rays in the first round of testing.

*CAG Member Question - Who did the testing in Elko, Nevada?*

Answer - The same contractor that conducted it in Libby.

*CAG Member Question - If we can find funding to do so, should we test the people coming to Libby this summer for class reunions for purposes of health rather than waiting to participation in the ATSDR screening? Eventually, we will have to find funding for annual screening.*

Answer - The community is encouraged to identify priorities and resources necessary to resolve public health concerns, especially those that are outside of ATSDR's ability.

*CAG Member Comment - We at St. John's Hospital appreciate ATSDR's decision to proceed*

*with a second round of testing, and with Mr. Strausbaugh's responsiveness to CAG requests. We would like to be involved in the sequencing and planning for the second round of testing. We can't do 2,000 scans in one month. We need planning to consider how the Hospital can help. We also want to be involved in designing the consent form and the method and timing by which the results letters will be released to personal physicians. We need training and software so that local people can provide the testing. and transfer the data to the ATSDR statistical set. We have not heard back from Dr. Lybarger or Sharon Campolucci regarding the CAT scan testing.*

Response - I will discuss your concerns with Dr. Lybarger or Sharon Campolucci and ensure that the appropriate person(s) contacts Mr. Palagi.

*CAG Member Comment - The previous B-readers were excellent. Please use the same readers.*

*CAG Member Question - Is the second round of testing funded?*

Answer - Yes. Dr. Falk moved funds from other projects to the next round of testing.

*CAG Member Question - When will the final report on the first round of testing be complete?*

Answer - The contractor will send the data from the first round to ATSDR in mid-May. The final report should be issued this summer.

## **Lincoln County Report**

Ron Anderson reported on the following topics on behalf of the County:

### Rainy Creek Road

Planning for cleanup of Rainy Creek Road involving the County, the Forest Service, the Montana Department of State Lands, Plum Creek, and EPA is underway.

### Vermiculite Insulation Registry

About one to two houses per day are being added to the Registry. Including houses in Troy and Eureka, the total is now 201 houses.

### Asbestos Materials Disposal

Last meeting, the CAG recommended that we attempt to reach everyone through power bills about the need and process for proper disposal of asbestos contaminated materials. We have contacted Flathead Electric Cooperative, but haven't heard back yet. We will be holding a training session for carpenters involved in building remodeling about the proper method of disposal of vermiculite insulation and other asbestos contaminated materials.

*CAG Member Comment - Since Commissioner Konzen resigned from the CAG, we don't have a representative who lives in Troy. We should invite someone to represent that community.*

**CAG Action - The CAG agreed to seek someone to represent Troy.**

## **St. John's Lutheran Hospital Report**

St. John's Hospital had no report.

## **Action Subcommittee Report**

Gayla Benefield reported the list of actions needed from the federal and state governments developed by the sub-committee she chaired for presentation to Senator Baucus. The Senator will meet with CAG members in the early afternoon of April 11 in the Ponderosa Room of Libby City Hall. Senator Baucus and his colleagues in the Montana Congressional delegation will convene a formal field hearing in Libby in May. Governor Martz and EPA Administrator Christine Todd Whitman have also been invited to attend the May hearing.

*CAG Action - After discussing the sub-committee's list and considering some other possible actions, the CAG agreed to the list contained in Appendix 2. The CAG also directed its facilitator to draft the list and circulate it to anyone wishing to receive it via email by Monday, April 9. Cyrus Lee volunteered to present the list to Senator Baucus on the CAG's behalf at the April 11 meeting.*

## **Action on Letter of Intent drafted by the TOSC Sub-Committee**

George Keck summarized the March 12 draft TOSC letter of intent and commitment to provide services to the Libby community. This draft was passed out at the March 22 CAG meeting.

*CAG Action - The CAG unanimously approved the March 12 draft letter.*

## **Public Comment**

*Audience Member Question - Who besides Dr. Irons was aware of the medical problems caused by W.R. Grace operations in Libby?*

Answer - As the County Health Officer, Dr. Irons was aware. Throughout the 1950's through the 1980's, the Libby medical community was generally not informed.

*Audience Member Comment - While the legal proceedings against W.R. Grace established what the Company knew and what it did in response, a public meeting should be held to inform the community about what was known and by whom it was known.*

## **Next Meeting**

The next meeting is scheduled for Thursday, April 26, 2001 from 7:00 to 9:00 p.m. in the Ponderosa Room of Libby City Hall. An invitation will be extended to the EPA Inspector General to attend this meeting and discuss the IG's report with the CAG.

**Appendix 1**  
**CAG Member Attendance List**  
**April 5, 2001**

<b>Members</b>	<b>Group/Organization Represented</b>
Ron Anderson	Lincoln County
George Bauer	City of Libby
Gayla Benefield	LCAVRO
Dr. Brad Black	Lincoln County Health Officer/CARD Clinic
Bob Dedrick	Asbestos Victim
George Keck	Alternate for Bob Dedrick
David F. Latham	The Montanian
Cyrus Lee	Kootenai Valley Head Start
K.W. Maki	Libby School District #4
Clinton Maynard	Area Asbestos Research Group
Rick Palagi	St. John's Hospital
Norita Skramstad	Asbestos Victim
Dan C. Strausbaugh	ATSDR/Montana Office
Leroy Thom	Former Grace Employee
Sandy Wagner	
Chris Weis	EPA Science Coordinator
Don Wilkins	Lumber & Sawmill Workers



## Appendix 2

### **Libby Community Advisory Committee Priority Actions For Libby Community Presented to Senator Baucus April 11, 2001**

At its April 5, 2001 meeting, the Libby Community Advisory Committee (CAG) agreed to the following list of priority actions needed to respond to the past and continuing problems arising from the tremolite asbestos contamination of the Libby community resulting from the mining and processing vermiculite by W.R. Grace & Co.

Before listing the actions, the CAG stated its support the EPA Region 8 team that has been conducting emergency cleanup actions in Libby.

The priority actions, together with preliminary cost estimates to implement them, include:

1. Removal and proper disposal of vermiculite insulation from Libby homes and businesses and restoration of these buildings to livable conditions. *Cost - \$12 million (1000 buildings @ \$6,000 for removal and disposal and \$6,000 for restoration).*
2. Development of an asbestos disposal cell at the Lincoln County land fill. *Cost - \$250 thousand.*
3. Approval of the \$650 thousand grant request for the Community Health Center that will provide universal access to primary health care. In addition to the funding for the Center itself, \$1 million is needed for a building to house it. Montana's Senators should also sign the Bond-Hollings letter supporting an increase in federal funding by \$175 million in 2002 for community health centers.
4. Funding for ongoing medical screening. *Cost - \$20-25 million (1,000 screenings per year for 20 years).*
5. Funding for asbestos-related disease research conducted by the Center for Environmental Health Sciences of the University of Montana Department of Pharmaceutical Sciences.
6. Funding for a medical trust to provide continuing medical care for people exposed to asbestos as a result of W.R. Grace vermiculite mining and processing. *Cost - \$500 million for trust principal.*
7. Funding for national advertising of the positive attributes of the Libby area to counteract negative publicity arising from the asbestos problems. *Cost - \$500 thousand.*
8. Convening a Congressional investigation of W.R. Grace's actions in Libby and its transfer of assets to avoid its legal responsibilities to people and communities harmed by its vermiculite mining and processing.



9. Congressional action to block W.R. Grace's recent bankruptcy declaration.
10. Return to the Libby community of W.R. Grace payments to reimburse EPA for clean-up costs of asbestos contamination.
11. Congressional action in response to the EPA Inspector General's report to ensure that EPA's past failures to protect Libby people and environment will not recur.
12. Assistance to ensure that disability designations by the Social Security Administration reflect asbestos exposure problems.